

REMARKS

Applicants respectfully request that the amendments described above be entered in the application before examination on the merits.

The present application is a divisional application, as indicated by the amendment to the specification wherein the cross-reference to related applications is updated.

Based on the restriction requirement imposed in the parent (wherein Group II was elected), applicants have elected to pursue complex compositions in the present application, identified in the restriction requirement in the parent application as Group VI, drawn to claims 42-46 and 51-55.

Applicants reserve the right to file one or more additional divisional applications directed to the remaining non-elected subject matter of the parent.

In view of the allowance of certain compound claims and related pharmaceutical composition and method of treatment claims in the parent, and in view of the restriction of this application to complex compositions, claims 26-41 and 47-50 are cancelled.

Since claims 42 and 43 as filed depended on claim 1, claims 42 and 43 have been replaced with new independent claims 56 and 57, respectively, each of which incorporates the subject matter of claim 1, and claim 1 has been cancelled. The amendments made to claim 1 in the parent in view of the rejection under 35 U.S.C. 112 relating to clarity have been incorporated in the definition of the compounds of formula I.

The dependencies of claims 2 to 25 have been amended as necessary to depend on new claim 56, and the references to "compound" have been changed to "composition." Claims 44, 51 and 52 have been amended as necessary to depend on new claims 56 or 57, including changing the reference to "compounds of Claim 1" to "compounds of formula I."

New claims 58-61 have been added to claim the pharmaceutical composition and method of treatment with the compound of original claim 34 in combination with the preferred H₁ antagonists.

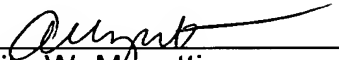
Applicants urge that no new matter has been introduced by the above-requested amendments.

An early action on the merits is earnestly solicited.

Respectfully submitted,

10/31/03

Date


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